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political interests after 1886 account for this, and put his life outside the conventional run of much English political biography.

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*Démocratie et Politique étrangère.* By JOSEPH-BARTHÉLEMY, Professeur Agrégé à la Faculté de Droit de Paris, Professeur à l'École Libre des Sciences Politiques. (Paris: Librairie Félix Alcan. 1917. Pp. 531.)

This is one of the most scholarly and comprehensive treatises in the vast output of literature which the present war may be said to have provoked. There had already appeared in England and America a considerable literature dealing with the subject of secret diplomacy to which many persons are disposed to attribute responsibility for wars in general and the present war in particular, but most of it was unscientific and polemic in character. In the present work, however, we have the first elaborate, scientific treatment of the subject by a distinguished scholar whose familiarity with the history of European foreign policy reveals itself throughout his treatise.

M. Barthélemy divides his work into three parts: the first, entitled "democracy and diplomacy" in which he discusses the question as to whether a democratic form of government is as well fitted as monarchy for conducting diplomacy and examines into the proper organization of a democracy for efficient diplomacy; the second, entitled "democracy and war" in which he considers the capacity of a democracy for prosecuting war, its proper organization for the efficient carrying on of war, the rôle of the legislature, the executive, etc., in time of war; and the third, entitled "the democracy of nations" in which he considers the relations between the internal and international policy of country, the liberty and solidarity of nations, etc.

There is, as the author points out, a more or less widespread belief that a democratically organized government, controlled by public opinion, whose processes must be open and subject to the light of publicity, and which does not look with favor upon a permanent professionally trained diplomatic service, is at a disadvantage as compared with monarchy in the conduct of diplomatic intercourse. Monarchy has the advantage of a permanent, highly trained diplomatic personnel; it is less controlled by an uninstructed public opinion; the influence of a highly respected and long experienced hereditary executive is often a

source of strength, and it may have the advantage of family alliances with other states. Thus Germany has derived an advantage in her Balkan relations from having German princes on the thrones of various Balkan states. M. Barthélemy admits that these circumstances may be an advantage, but at the same time they may be a source of danger, and he points out that the German Emperor's family connections with the Balkan powers were not sufficient to prevent the outbreak of the present war. He points out also, what is well-known, that the character and ability of the diplomatic representatives of democratic governments are often in no manner inferior to that of the representatives of monarchical governments, as the diplomatic history of France and the United States clearly shows. The diplomacy of France under the third republic, he adds, has been quite equal to that under the monarchy. The facts, he says, demonstrate that the faults of republican diplomacy have been neither more frequent nor serious than those of monarchical diplomacy, and the marked diplomatic success of republican presidents like Carnot and Faure in France and Wilson in the United States is evidence enough that the head of a republic may exert as decisive an influence upon international policy as kings or emperors.

Regarding the now much discussed subject of secret diplomacy M. Barthélemy very properly distinguishes between secret negotiations and secret treaties. The conduct of negotiations is very much like a game at cards and as it would be folly for the players to exhibit their cards to their opponents so it would be absurd to require negotiators to conduct their negotiations openly. Secrecy of negotiations, as he points out, is often necessary to insure peace; moreover, the public may not be well informed regarding the questions at issue and it might be fatal to make the negotiations dependent upon the approval of public opinion. In all democratic states the results of the negotiations generally require the approval of one or both chambers of the legislature, and this check is sufficient to protect the country against possible dangers of secret negotiations.

The conclusion of secret treaties, however, is a different matter. Against such diplomacy there have recently been many protests in England, France and Germany; and in England there has been organized the Union for Democratic Control as a protest against the policy of secret diplomacy. In France the General Confederation of Labor in 1915 announced its intention of calling after the close of the war a congress of representatives of labor organizations of the different nations to establish a durable peace on certain bases, the first of which was

"the suppression of the régime of secret treaties." M. Barthélemy reviews the European practice and calls attention to the fact that Europe is covered by a network of secret treaties, conventions and understandings, that is, agreements which have never been submitted to the legislature or made public. He does not, however, share the view that such treaties are necessarily dangerous or in contradiction with the principles of democracy rightly understood. France, as he points out, owes her alliance with Russia and her understandings with England and Spain to secret agreements. Nevertheless, while he admits that secret treaties may be desirable and even necessary, the power of the government to bind the nation by such agreements should be subjected to certain restrictions.

His final conclusion regarding the whole matter is that it "is not necessary in the interest of democracy, to democratize diplomacy, as some imprudent demagogues demand; it is the government, the executive power which is and which must remain the first organ, the first representative of democracy in its external policy."

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*The Law and the State.* By LÉON DUGUIT. Translated by Frederick J. de Sloovere. Harvard Law Review, November, 1917. (Cambridge, Mass.: Harvard University Press. 1917. Pp. 185.)

During the last few years the doctrines of Nietzsche and Treitschke have been frequently explored in order to exhibit their association with the motives and methods of Germany, as made manifest by the present war. Relatively little attention has been given to another set of doctrines whose significance, in this connection, is probably greater than that of the cynical teachings of Nietzsche and Treitschke. German juridical theories of the nineteenth century are more significant than the latter theories, because they have a longer and broader history and because they are more subtle, in that they do not so patently justify despotism and force as the primarily essential elements of effective government.

It is the purpose of the volume in hand to examine German and French doctrines (since the late eighteenth century) concerning the nature of the state, from the standpoint of the problem of legal limitation upon political authority. Is the state bound by obligations of a